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Attorneys for Defendant NEST LABS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS HAGEDORN, on behalf of
himself and all others similarly situated,

Plaintiff,

V.

NEST LABS, INC.,

Defendant.

Case No. 3:14-cv-00755-VC

**DECLARATION OF SCOTT HONG IN
SUPPORT OF RESPONSE TO ORDER
RE: STRIKING NATIONWIDE CLASS
ALLEGATIONS**

Judge: Hon. Vince Chhabria

Complaint Filed: February 19, 2014

**DECLARATION OF SCOTT HONG IN SUPPORT OF RESPONSE TO ORDER
RE: STRIKING NATIONWIDE CLASS ALLEGATIONS
Case No. 3:14-cv-00755-VC**

I, Scott Hong, state and declare as follows:

1. I am the Quantitative Marketing Manager of Nest Labs, Inc., the Defendant in the above-captioned action. Except where expressly stated, I have knowledge of the facts set forth herein, and if called to testify as a witness thereto, could do so competently under oath.

2. I have been the Quantitative Marketing Manager at Nest since November 12, 2012. My job responsibilities include providing data-driven business insights.

3. Approximately 90% of Nest Learning Thermostats sold to consumers are activated by the consumer such that Nest can access records of the location in which the device is installed.

4. Nest user records indicate that the Nest Learning Thermostat was activated in households in all 50 states in the United States.

5. Nest user records indicate that of all the Nest Learning Thermostats activated in the United States, fewer than 1/3 were activated in California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed in San Francisco, California, on July 10, 2014.

By: ~~SCOTT HONG~~